

1 I, Donald P. Gagliardi, declare as follows:

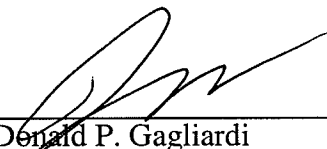
2 1. I am an attorney licensed to practice law before all of the courts of the State of  
3 California and am a partner with the law firm of Bergeson, LLP, counsel of record for plaintiff  
4 Verigy US, Inc. ("Verigy") in the above-captioned action. I have personal knowledge of the facts  
5 set forth in this declaration, and, if called to do so, could and would competently testify thereto.

6 2. I am a 1988 graduate of Stanford Law School, with almost twenty years  
7 experience in the practice of law. Prior to joining Bergeson, LLP, I was a Law clerk to Hon.  
8 John T. Elfvin, a U.S. District Judge in the Western District of New York, and to Hon. Edward  
9 A. Infante, U.S. Magistrate Judge for Northern District Court of California. My area of  
10 practice is in business litigation. I have handled a variety of cases in state and federal courts. I  
11 have previously served as a special master in discovery disputes in the Northern District of  
12 California. I also serve as an arbitrator and judge pro tem in the Santa Clara County Superior  
13 Court.

14 3. My ordinary and usual billing rate as of January 2008 is \$480 per hour. I have  
15 expended in excess of 6.3 hours in preparing Verigy's request for attorney's fees. Accordingly,  
16 Verigy has reasonably and necessarily incurred in excess of \$3,024.00 for my fees related to the  
17 contempt motion.

18 4. Attached hereto and incorporated herein by reference as Exhibit A is chart of  
19 reasonable attorney's fees expended in conjunction with its motion of contempt. I have personally  
20 reviewed the entries related to my work and believe them to be true and correct.

21 I declare under penalty of perjury under the laws of the United States of America that the  
22 foregoing is true and correct and that this declaration was executed this 9th day of June, 2008 at  
23 San Jose, California.

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26 Donald P. Gagliardi  
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